

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSHUA FRANKLIN, SR.,

Plaintiff,

vs.

**MICHAEL L. KENNEY, in his official
capacity, DENNIS BAKEWELL, in
his individual and official capacity,
CHARLES RINE, in his individual
and official capacity, DIANE
SABATKA-RINE, in her individual
and official capacity, FRED
BRITTEN, in his individual and
official capacity, and DOES 1-8, in
their individual and official
capacities,**

Defendants.

4:14CV3243

ORDER

Plaintiff, through counsel, has advised the court that he desires leave to file an Amended Complaint; that Amie Larson, counsel for the defendants, does not object; that upon the filing of an Amended Complaint the Motion to Dismiss (Filing No. 21) will become moot; and, accordingly that the court should enter an order extending, for two weeks, Plaintiff's deadline to respond to the Motion to Dismiss. It is anticipated that Plaintiff will file an Amended Complaint within two (2) weeks and that the Motion to Dismiss will become moot upon the filing of an Amended Complaint.

Accordingly, it is hereby ordered that Plaintiff's motion (Filing No. 24) is granted and that Plaintiff's time to respond to the Motion to Dismiss (Filing No. 21) is extended to February 25, 2015.

IT IS SO ORDERED.

Dated this 11th day of February, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge